

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

SHANE S. PEART,

Plaintiff,

v.

Case No: 8:23-cv-1609-CEH-SPF

STATE OF MARYLAND,

Defendant.

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ORDER

This cause comes before the Court upon the Report and Recommendation filed by Magistrate Judge Sean P. Flynn on August 7, 2023 (Doc. 3), recommending that Plaintiff's *pro se* Application to Proceed in District Court without Prepaying Fees or Costs, construed by the Court as a motion to proceed *in forma pauperis* (Doc. 2), be denied and the Complaint (Doc. 1) dismissed. Plaintiff was furnished a copy of the Report and Recommendation and afforded the opportunity to file objections pursuant to 28 U.S.C. § 636(b)(1). No such objections were filed.¹

Upon consideration of the Report and Recommendation, and upon this Court's independent examination of the file, it is determined that the Report and Recommendation should be adopted, confirmed, and approved in all respects. Accordingly, it is now

ORDERED AND ADJUDGED that:

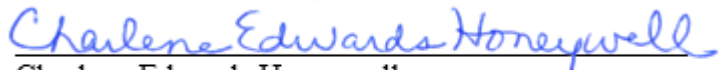
¹ On August 16, 2023, Plaintiff filed a brief of complaint, which did not contain any objections to the Report and Recommendation.

1. The Report and Recommendation (Doc. 3) of the Magistrate Judge is adopted, confirmed, and approved in all respects and is made a part of this order for all purposes, including appellate review.

2. Plaintiff's motion to proceed *in forma pauperis* (Doc. 2) is **DENIED**.

3. Plaintiff's Complaint (Doc. 1) is dismissed with prejudice and the Clerk is directed to close the case.

DONE and **ORDERED** in Tampa, Florida, this 11th day of September 2023.


Charlene Edwards Honeywell
United States District Judge

Copies to:
The Honorable Sean P. Flynn
Counsel of Record